



FISCAL MEMORANDUM

HB 92 - SB 201

March 11, 2023

SUMMARY OF BILL AS AMENDED (003531): Creates the *Jabari Bailey Highway Safety Act*.

Revises the fines for failing to reduce speed, exercise due caution, or yield the right-of-way as required when encountering an authorized emergency vehicle making use of emergency signals or a stationary vehicle flashing hazard lights as follows:

- From a minimum of \$100 to a minimum of \$250 for a first offense;
- From a minimum of \$500 and a maximum of \$1,000 to a flat fine of \$1,000 for a second offense; and
- From a minimum of \$1,000 to a flat fine of \$2,500 for a third or subsequent offense.

FISCAL IMPACT OF BILL AS AMENDED:

Increase Local Revenue – Exceeds \$190,200/FY23-24 and Subsequent Years

Assumptions for the bill as amended:

- Based on information provided by the Department of Safety, since 2018 there have been an average of 1,585 convictions per year (excluding 2020 for consideration of the effects of the COVID-19 pandemic) for the offenses that would be covered under the proposed revised fine schedule.
- This conviction rate is assumed to remain constant.
- The available data includes all convictions for a first, second, and third or subsequent offense, but does not distinguish among them.
- Because the proposed legislation raises the minimum for a first offense by \$150 (\$250 proposed fine - \$100 current fine), fines for all relevant offenses will be increased by at least that amount, with the actual amount, including higher fines for second, and third or subsequent offenses, likely exceeding that rate.
- Assuming all fines will be paid in full, the increase in local revenue resulting from fines for the relevant offenses is estimated to exceed \$237,750 (1,585 convictions x \$150).
- However, it is assumed that at least 20 percent of those convicted will be indigent persons, or otherwise unable or unwilling to pay.
- Therefore, the recurring increase in local revenue is estimated to exceed \$190,200 (237,750 x 80%) in FY23-24 and subsequent years.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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